

General Comment:

The office action received from the PTO indicated that this was final action. Applicants **assume the final action box was checked in error** due to the fact that this is the first action received from the PTO. Review of 37 CFR 1.113 indicates that an action is final only after the second or subsequent examination.

In the Claims:

Please AMEND claims 1, 4-7, 14 and 15 as follows:

Claim 1

1. A cellular wireless re-use communication system comprising:
 - a base transceiver station cluster, the base transceiver station cluster comprising:
 - a first plurality of base station transceivers; and
 - a plurality of common channel areas, each common channel area having a unique set of common assigned channels;
 - each common channel area comprises at least one subscriber unit, each subscriber unit within the common channel area receiving and recovering information signals from a second plurality of base station transceivers through one of the set of common assigned channels that correspond to the common channel area.

Claim 4

4. The cellular wireless re-use communication system of claim 3, wherein the common transmission characteristic is a transmission frequency.

Claim 5

5. The cellular wireless re-use communication system of claim 3, wherein the common transmission characteristic is a transmission time.

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6. The cellular wireless re-use communication system of claim 3, wherein the common transmission characteristic is a transmission code.
7. The cellular wireless re-use communication system of claim 3, wherein the common transmission characteristic is at least one of: a frequency-division, a time-division, a spatial-division, a code-division, orthogonal frequency division multiple access (OFDMA), wavelength division multiple access (WDMA), wavelet division multiple access techniques.

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14. A cellular wireless re-use communication system comprising:
a plurality of base transceiver station clusters, each base transceiver station cluster comprising:
 - at least one base station transceiver; and
 - at least one common channel area, each common channel area having a unique set of common assigned channels;
 - each common channel area comprises at least one subscriber unit, each subscriber unit within the common channel area receiving and recovering information signals from a second plurality of base station transceivers through a one of the set of common assigned channels that correspond to the common channel area.

15. A method of transmitting multiple information signals to at least one subscriber unit within a cellular wireless re-use communication system, the system comprising a base transceiver station cluster, the base transceiver station cluster comprising a first plurality of base station transceivers, and a plurality of common channel areas, each common channel area having a unique set of common assigned channels, each common channel area comprises at least one subscriber unit, the method comprising:

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a second plurality of base station transceivers transmitting information signals through one of the set of common assigned channels that correspond to the common channel area; and

each subscriber unit within the common channel area receiving and recovering information signals from the second plurality of base station transceivers through the one of the set of common assigned channels that correspond to the common channel area.
